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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Promotion du Développement Economique et Social - PDES, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 January 2024]

* Issued as received, in the language of submission only.



Worrying Situation of Girls and Women in Refugee Camps

Despite some efforts made by Algerian authorities, laws and policies in Algeria have not yet removed the obstacles that lead to discrimination, both de jure and de facto, resulting in a significant increase in the vulnerability of women to violence. It is necessary for Algerian authorities to adopt a comprehensive approach to effectively combat all forms of violence against women. So far, attempts have been fragmented and symbolic.

The situation of women in the Tindouf refugee camps is particularly dire, as they face pre-existing gender inequalities and discrimination exacerbated by the lack of oversight. Algerian laws focus on the negative aspects of the term “Al Hechma” rather than on the physical and psychological integrity of victims of violations, failing to provide adequate measures to protect women and girls and prevent repeated assaults. Furthermore, Sahraoui refugee women are excluded from these laws, leaving them outside the scope of international law and contrary to the Geneva Convention on Refugees.

Despite past and ongoing incidents of violence and violations against women in the Tindouf refugee camps, the Frente Polisario leaders continue to exploit their power with complete impunity, while Algeria turns a blind eye.

Since the establishment of the Tindouf refugee camps, the Frente Polisario has confiscated the right to family planning as a natural option for each woman, imposing inhumane policies that place women in difficult situations with perilous consequences for their physical and psychological health.

Another form of violence is that which women suffered during the establishment of the camps, where they were forced to hand over their children to the Frente Polisario to be sent to Latin America for long periods of time away from their families, without the ability or right to protest. Women were deprived of the right to mourn and express their pain and sorrow, as the Frente Polisario declared these children as “sons of the revolution.”

The Tindouf refugee camps were largely founded on the mass abduction of inhabitants from surrounding settlements during the 1970s and 1980s, including a significant number of women who were held against their will and subjected to ill-treatment and confinement without access to basic rights. Despite this, the host country, Algeria, has failed to intervene and protect these women.

The detention of women also continues in other forms through numerous cases of detention of naturalized girls or Spanish residents, or visits to their families in the Tindouf refugee camps, who are prevented from returning to their places of residence and dispossessed of their identity papers, thus becoming victims of detention by the family with the complicity of elements of the Frente Polisario. These are often young women who had previously “benefited” from adoptions from Spanish families, through their participation in the “Holidays in Peace” program.

This subject has raised many ethical and deontological discussions, starting with the criminal responsibility of the host country, the Algerian state, and the complicity of the Frente Polisario leadership in the establishment of adoption contracts, from which the biological family is excluded, in addition to the involvement of some humanitarian organizations in illegal adoptions. This situation leads most of the time to serious incidents and fights on the right to guardianship, and that ends up taking the way of the courts.

The cases of rape of women in the Tindouf refugee camps remain one of the major taboos ignored and avoided since the creation of these camps. Hundreds of women have been raped by Frente Polisario officials, repeatedly and for long periods of time, which attests to the systematic nature of these practices that have not been, unfortunately, brought to light during all this time in order to put an end to them on the part of the Algerian state, which bears full responsibility for what falls within its territorial perimeter.

For many years, the Frente Polisario has managed to contain and siege these crimes so that they do not spill over the borders of the camps. However, over the past decade, the voices of some victims have begun to be raised in condemnation of these practices, of rape, arbitrary detention, prosecution, stigmatization, and defamation, as well as the removal of children from rape. The violence resulting from repeated rapes and the accompanying societal stigma has caused victims severe physical and psychological damage that led, in many cases, to death.

In all the releases condemning rape, the victims were forced to hide their identities for fear of reprisals by the Frente Polisario, except for the case of the rape victim, Kh. M. M. Z., who broke the taboo by filing a complaint with the Spanish National Court against her rapist, the former Frente Polisario representative in Algeria, named Ibrahim Ghali. He was called to appear before the court of the region of Murcia, Spain, for human trafficking. This official is also on the list of Frente Polisario leaders and senior officers of the Algerian army, accused by the Spanish National Court in 2007 of genocide, murder, assault and battery, illegal imprisonment, torture, and enforced disappearance. Kh. M. M. Z. refused the material offers that were made to her in exchange for closing the case.

During the pandemic period, women were also subjected to another type of violence and detention, preventing them and their children from entering the camps. They were trapped in very poor conditions and without any provisions for the prevention of the pandemic.

With the return of the Frente Polisario to arms, the situation of women and girls has worsened. They are pushed to the forefront of political maneuvers and manipulations, used as human shields and involved in campaigns promoting hate speech and incitement to vandalism.

OBSERVATOIRE INTERNATIONAL POUR LA DÉMOCRATIE, LA PAIX, ET LES DROITS DE L'HOMME, GENÈVE "IOPDHR-GENEVA-NGO", NGO(s) without consultative status, also share the views expressed in this statement.

(1) The link below to a video documenting the testimonies of women in the Tindouf refugee camps, in which they tell stories of forced childbirth: <https://www.youtube.com/watch?v=LU2JTrKc3MI> (2) An article explaining how the forced mass deportation from the Tindouf refugee camps to the Eastern camp countries is taking place, the article with the following link:

<https://www.elanbaaldawlia.net/%D8%B9%D9%86-%D8%A3%D8%B7%D9%81%D8%A7%D9%84-%D9%85%D8%AE%D9%8A%D9%85%D8%A7%D8%AA-%D8%AA%D9%86%D8%AF%D9%88%D9%81-%D9%88%D9%86%D8%B8%D8%B1%D9%8A%D8%A9-%D8%A7%D9%84%D8%A7%D8%B3%D8%AA%D8%AB%D9%85%D8%A7%D8%B1-%D8%A7%D9%84%D8%A7%D8%B3%D8%AA%D8%B9%D9%85%D8%A7%D8%B1%D9%8A-%D8%B9%D9%86-%D8%A8%D8%B9%D8%AF-%D9%85%D9%86-%D8%B6%D8%AD%D8%A7%D9%8A%D8%A7-%D8%A7%D9%84%D8%AA%D9%87%D8%AC%D9%8A%D8%B1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A-%D8%A5%D9%84%D9%89-%D9%88%D9%82%D9%88%D8%AF-%D9%84%D9%84%D8%A5%D8%B1%D9%87%D8%A7%D8%A8>

(3) See the link for the review of the reports submitted by the State party Algeria concerning the implementation of article 19 of the Convention on the Concluding Observations of the Committee on Torture in Algeria, paragraph 5 of the report under reference CAT/D/DZA/CO/3, with the following link: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G08/422/00/PDF/G0842200.pdf?OpenElement>

(4) The following link contains a statement by the international organization Human Rights Watch on the detention of young Sahraoui women in the Tindouf refugee camps: https://www.hrw.org/sites/default/files/supporting_resources/st.2016.5.19.human_rights_watch_statement_on_sahrawi_women_held_in_tindouf_refugee_camp_without_contact_0.pdf

(5) Many cases are before the Spanish justice on the issue of young Sahraoui women prevented from returning to their adoptive families in Spain. A Spanish channel covering one of the cases of detention of a young woman of Sahraoui origin residing in Spain

(6) During the examination of the reports submitted by the State party Algeria concerning the implementation of article 19 of the Convention on the Concluding Observations of the Committee on Torture in Algeria, the Committee against Torture recommended, in paragraph 15 of the report under the symbol CAT/D/DZA/CO/3, that the Algerian State should ensure that the identified perpetrators responsible for cases of rape of women that occurred during the internal conflict "are prosecuted and punished", and to provide adequate compensation and rehabilitation to all victims. the following link: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G08/422/00/PDF/G0842200.pdf?OpenElement>

(8) The case of the rape victim, B. M. E. O. Z., who was forced to change her name to "Al-R. M. M. O. A. Al-K. B." because of the "shame" of her detention, rape, pregnancy, and imprisonment. Her son was taken from her. She left a will requesting that her story be shared with the international community and that the injustice that occurred be reported. The following video link shows one of her relatives reading the victim's will after her death: <https://youtu.be/ZI32w7bYQ9Q>

(9) The following article link documents the testimony of rape victim Kh. M., who was welcomed at the European Union headquarters in the Belgian capital, Brussels, during the work of the Committee on Women's Rights and Gender Equality, held on October 13, 2022, in a session entitled "Sexual Violence, Rape, and Abuse of Power : <https://eubriefs.com/?p=10328>

(10) In late March, dozens of women and their children were stranded between Tindouf and the camps in the "Aadam Al-Rih" area for three weeks due to the refusal of the Algerian authorities and the Frente Polisario to allow them to enter the camps, forcing them to live in buses on bread and water thrown out by the Algerian security forces. Photo attached .

(11) A video link documenting women from the Tindouf refugee camps leading crowds blocking the road at the border post of Guerguerat on October 19, 2020; during a march led by Frente Polisario elements: https://mail-attachment.googleusercontent.com/attachment/u/0/?ui=2&ik=6a2fcf74d2&attid=0.1&permmsgid=msg-a:r-8409133889082154778&th=175e2bf5cf3fbc2a&view=att&disp=safe&realattid=175e2bcbc389d62a26a1&saddbat=ANGjdJ--fSPLmx2SxSyTSjzdTm9LA4k7EgDhT4T2cWKbnr8t6EcJVG7YURWmFgzGU2ALNOYzBUUJNHRET15P2g-PRtISO0t4_fqwftFhYgkB7-jOYPsuv77Ov_ZrkXLobnL3JZbekxXjP2Qg54J8-PBiTRwqnUcvmjt1yofmk0EJgBUesW99uEAh8VilGoELkzaXMXwy7tHeBcJzbur4AdKiCLI8HHpSeuP-r4bK5goGS94M_Ij6nCWtBNGmTES2tONJgk3wqx5N5TsC8NMZCEPQDjh9QlssZxt8g8KuQPupVr7qVnATuSDH5RFPumyS5H6utMz-G--oJLk7IBkM8EOnOhAYIUFD4WWEN1YYrWuDyvFQTuf7Kp1gCFqKVybceWLUiwgvTGaDgKTCaLi9gxmI3yTR9uRIYzN-qK3mlUw5WBrlbqfv6q5BUXrHGzHCJghvdsYT9rBy_vuu_kbBK2-MDKToOahWyDsXOHip_u2J8kRhZ7TUbcn-ujaQcgn2CvgNLPKoxUJsbJ-6yAQg7YQrhDb63A5-H2FayeeeguHqnbzQoFO7tVHcQpTlmcceYrcKgecsfIEU9H7FsODIxgoMzy1OuusTcE3vKUvG4GV7_wcYuo_yVJzz7aTR3XUuszEd4aW0RLwHVnmr-rA55IJQxLFeqEyqqXs04yjEJBOZfXQk9T5PFMqcatPplmM